(1217/06

Filed on 14.3.06

by Shri ..... Advocate

8/12/06 R to D.R.(J)

(3)

Division Bench

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR.

Cr.R. No. 181 /2006

APPLICANT COMPLAINANT : Smt. Boond Kunwar w/o Sukhsay, aged about 26 years, r/o village Digma, P.S. Gandhinagar, Ambikapur, District Surguja, C.G.

V E R S U S

NON-APPLICANTS : 1.The State of Chhattisgarh, through Anusuchit Jati Kalyan Thana, Ambikapur, Distt. Surguja, C.G.

(PROSECUTION)

2.Krishna Kumar Malik s/o Fatikchand aged about 30 years, Occupation-Service, r/o village Digma, P.S. Gandhinagar, District Surguja, C.G.

(ACCUSED PERSON)

RECEIVED-COPY 10.3.06 CLERK to A. G. BILASPUR

REVISION UNDER SECTION 397/401 OF THE CODE OF CRIMINAL PROCEDURE.

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक ..... Cr.Rev. No. 181/2006 **सन् 200**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

DIVISION BENCH :

HON'BLE SHRI VIJAY KUMAR SHRIVASTAVA, J.
& HON'BLE SHRI DHIRENDRA MISHRA, J.

11.05.2006

Shri A.K.Prasad, learned counsel for the applicant.

Shri D.K.Gwalre, learned Dy. G.A. for the State.

Heard on admission.

The respondent No.2 was prosecuted for committing the offence punishable under Section 376 of the IPC and 3 (2)(v) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989.

Learned trial Court after due appreciation of evidence on record vide impugned judgment dated 17.01.2006 passed in S.T. No. 72/2004 acquitted respondent No.2 from the offences charged against him.

After going through the record and from perusal of the statement of the prosecutrix particularly, her admission in cross examination, which suggests her consent, we are of the considered opinion that no illegality has been committed by the trial Court. The judgment of acquittal passed by the trial Court is in accordance with law that does not call for any interference.

In the result, the revision is liable to be dismissed summarily and it is accordingly dismissed *in limine*.

Sd/-
V.K.Shrivastava
Judge

Sd/-
Dhirendra Mishra
Judge